

Application No. 10/511,006  
Paper Dated: August 26, 2008  
In Reply to USPTO Correspondence of March 26, 2008  
Attorney Docket No. 0470-044861

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/511,006 Confirmation No. 6712  
Applicants : MARK JASON HEATH ELLISON et al.  
Filed : May 9, 2005  
Title : EXCIPIENT FOR USE IN DRY POWDER  
INHALATION PREPARATIONS  
Group Art Unit : 1616  
Examiner : Mina Haghigatian  
Customer No. : 28289

Mail Stop AF  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

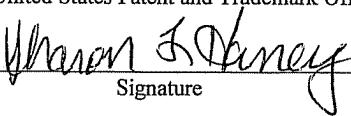
Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated March 26, 2008 of the Primary Examiner finally rejecting claims 28-54.

The Commissioner of Patents and Trademarks is hereby authorized to charge the fee of \$510.00 by credit card, which information accompanies this Notice. A two-month Petition for Extension of Time is submitted concurrently herewith.

I hereby certify that this correspondence is being electronically submitted to the United States Patent and Trademark Office on .

08/26/2008  
Date

  
Signature

Sharon L. Haney

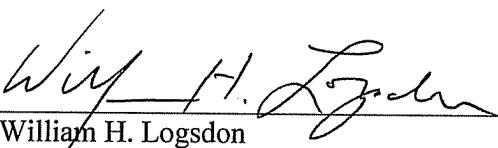
Typed Name of Person Signing Certificate

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The Commissioner for Patents is hereby authorized to charge any additional fees which may be required to Deposit Account No. 23-0650 or credit any overpayment to Deposit Account No. 23-0650.

Respectfully submitted,

THE WEBB LAW FIRM

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